

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

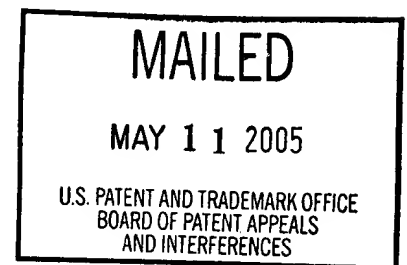
Paper No. 24

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte YI HU,
JAMES A. KIEKE,
ANDREW OLSON, and
C. ALEXANDER TURNER, JR.

Appeal No. 2005-0598
Application 09/854,844



ORDER DISMISSING APPEAL

Before HARKCOM, Acting Chief Administrative Patent Judge,
WILLIAM F. SMITH and GRIMES, Administrative Patent Judges.

Per curiam.

Appellants were given a period of one month to respond to the "ORDER UNDER 37 CFR § 41.50(d)" mailed on March 31, 2005. In a communication received May 2, 2005, appellants stated that they were "withdraw[ing] the present appeal . . . without prejudice and without disclaimer in order to pursue claims in a continuing application."

Since appellants have withdrawn the appeal, the case is dismissed.


Gary V. Harkcom, Acting Chief
Administrative Patent Judge

BOARD OF PATENT

APPEALS AND

INTERFERENCES

dem